

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Rich West

Assignee: Xantrex Technology Inc.

03/03/2010 KOBANOURA 063600922 504181 7102251

Patent No.: 7,102,251

Issue date: Sep. 5, 2006

498,601

RECEIVED

Application No.: 10/604,876

Filing date: Aug. 22, 2003

MAR 08 2010

Atty. Docket No.: 247181-620USPT/VAN-0010-US

OFFICE OF PETITIONS

REQUEST FOR CORRECTION OF ERROR IN SMALL ENTITY STATUS MADE IN GOOD FAITH UNDER 37 C.F.R. § 1.28(c)

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

The patent maintenance fee paid on February 26, 2010 was paid in good faith, based on small entity status. Upon file review, it was discovered that the assignee, Xantrex Technology Inc. is not entitled to small entity status and all fees should have been paid based upon non-small entity status. Assignee respectfully requests that the Commissioner excuse this error based upon compliance with the submission and itemization under 37 CFR § 1.28(c) as follows:

Description of fee	Small Entity fee paid	Current fee amount due for a non-small entity	Deficiency owed
Due at 3.5 years	\$490.00	\$980.00	\$490.00
Surcharge 3.5 year -late payment within 6 months	\$65.00	\$130.00	00.00
Total Deficiency owed			\$490.00

Attached is the signed form Notification Of Loss Of Entitlement To Small Entity Status.

The Commissioner is hereby authorized to charge \$490.00, the fee due for this paper, any additional fee that may be due, or credit any overpayment to the Deposit Account of Nixon Peabody LLP No. 504181/ 247181-620USPT from which the undersigned is authorized to draw.

Respectfully submitted,



Stephen G. Rudisill, Reg. 20087

Nixon Peabody LLP

300 S. Riverside Plaza, 16<sup>th</sup> floor

Chicago, IL 60606

Phone: 312-425-3900; fax: 312-425-3909

Date: March 1, 2010

12905452.1

099998/099500

# NIXON PEABODY LLP

Attorneys at Law  
 300 S. Riverside Plaza, 16<sup>th</sup> floor  
 Chicago, Illinois 60606-6613  
 (312) 425-3900  
 Fax: (312) 425-3909

## PRIVILEGE AND CONFIDENTIALITY NOTICE

The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (312) 425-3900 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

## FAX

## RECEIVED

**Date:** March 1, 2010 **Pages (including cover):** 3 **MAR 08 2010**  
**To:** Maintenance Fee Branch **Fax:** 1-571-273-6500 **Ph:** OFFICE OF PETITIONS  
 United States Patent and  
 Trademark Office  
**From:** Stephen G. Rudisill  
**Message:** Commissioner for Patents

Dear Sir:

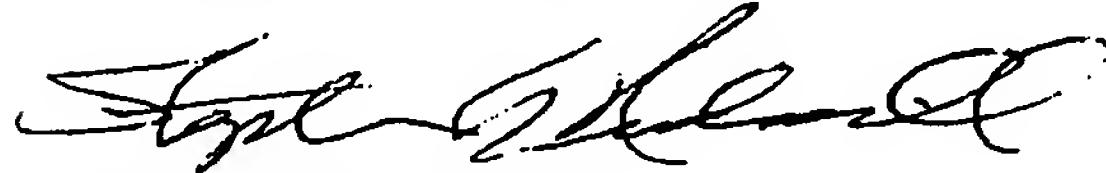
Attached are the following:

- (1) Request for Correction of Error in Small Entity Status made in Good Faith under 37 C.F.R. §1.28(c), and
- (2) Notification of Loss of Entitlement to Small Entity Status.

We wish to pay the additional maintenance fee deficiency owed for U.S. Patent 7,102,251.

The Commissioner is hereby authorized to charge \$490.00, any additional fee that may be due, or credit any overpayment to the Deposit Account of Nixon Peabody LLP No. 504181/247181-620USPT.

Respectfully submitted,



Stephen G. Rudisill  
 Reg. No. 20,087